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PATENT
Attorney Docket No. 056291-5237

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Simon Nicholas **BLACK** *et al.*)
Application No.: 10/572,635) Group Art Unit: *Unassigned*
Filed: **March 17, 2006**) Examiner: *Unassigned*
For: **POLYMORPHIC FORMS OF A KNOWN**)
ANTIHYPERLIPEMIC AGENT) Date: **October 5, 2006**

Commissioner for Patents
U.S. Patent and Trademark Office
Customer Window, **Mail Stop Amendment**
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Sir:

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants request the Examiner to consider this Supplemental Information Disclosure Statement and documents listed on the attached Form PTO-1449. To the best of the undersigned's knowledge, this Supplemental Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced Application. Accordingly, Applicants do not believe a fee is due for filing this Supplemental Information Disclosure Statement.

This Supplemental Information Disclosure Statement is being filed to provide an English language equivalent to WO 97/19917 which published in the French language and for which an English language abstract was filed in an IDS submitted on September 29, 2006. The attached supplemental form PTO-1449 again cites the WO 97/19917 publication but this time indicating that a translation is provided (*i.e.* US Patent 6,278,001). It is understood that it is not necessary to provide a copy of this US patent.

Applicants respectfully request that the Examiner initial and return the Form PTO-1449, indicating that the information has been considered and made of record herein.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." Applicants reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

Except for issue fees payable under 37 C.F.R. §1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0310. This paragraph is intended to be a

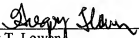
CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R.

§1.136(a)(3).

Respectfully Submitted,
Morgan Lewis & Bockius LLP

Date: **October 5, 2006**
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